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February 1, 2007

Via electronic filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SE
Washington, DC 20554

Re: Cable & Communications Corporation
CC Docket No. 94-102
February 1, 2007 Report

Dear Ms. Dortch:

Pursuant to the Commission's *Order*,¹ Cable & Communications Corporation ("C&CC") hereby submits the following report on its progress in achieving the goal of 95% penetration of ALI-capable handsets among its subscribers.

Summary

In its progress report filed herein on May 1, 2006, C&CC reported an ALI-compliant handset penetration rate of 47%. As of July 21, 2006, that number had grown to 55%. As of October 13, 2006, C&CC had achieved a 60% penetration rate, again short of its (revised) benchmark rate of 62%. Although C&CC is pleased to report that it has exceeded its revised February 1, 2007 benchmark rate of 70% by an extra percentage point, C&CC again reports its concern that the current deadline of September 23, 2007 may not allow sufficient time to meet the goal of 95% penetration. While the traditionally robust holiday season, together with two additional open-house events in the last calendar quarter and three in January, 2007, yielded the successful results, the subscribers still utilizing analog handsets are demonstrably resistant to education and marketing efforts designed to encourage conversion to compliant handsets. C&CC will, of course, maintain its diligent and focused education and marketing efforts, while reviewing the efficacy of various programs and considering alternative outreach efforts.

In accordance with paragraph 21 of the *Order* and its past practices, C&CC continues to coordinate with area PSAPs and other emergency service providers, keeping them apprised of its activities and progress in meeting handset penetration goals. This information is shared formally through serving PSAPs with copies of all FCC filings related to this issue, as well as informally, through occasional telephone conversations and meetings.

In recognition of the remaining condition imposed by paragraph 21 of the *Order*, C&CC reports also its continuing regular reminders to subscribers that upgrading their analog handsets will enable them to transmit their location information automatically once PSAPs have implemented Phase II E911 capabilities. In addition, C&CC will inform subscribers when Phase I and Phase II requests are received from PSAPs, and will provide regular updates regarding the anticipated implementation dates.

¹ *In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, Cable & Communications Corporation Petition for Waiver of Section 20.18(g)(1)(v) of the Commission's Rules, *Order*, FCC 06-39 (rel. Mar. 23, 2006) ("Order"). The *Order* granted Cable & Communications Corporation ("C&CC") an extension of 18 months after its release to meet the requirement of Section 20.18(g)(1)(v) that 95% of the handsets used by its subscribers be location-capable, subject to specific conditions and reporting requirements. The instant report is the third required under the *Order*.

Report

Pursuant to paragraph 22 of the *Order*, C&CC provides the following information:

(1) The number and status of Phase II requests from PSAPs (including those requests it may consider invalid):

C&CC has received no official Phase I or Phase II request from any PSAP.

(2) The estimated dates on which Phase II service will be available to PSAPs served by its network:

C&CC provides cellular service to a geographic area served by nine (9) different PSAPs in Montana and one in North Dakota. Each Montana PSAP is willing to work with C&CC regarding the timing for implementation of a Phase I or Phase II request. C&CC's May 1, 2006 Report provided detailed information regarding the status of E-911 implementation plans for each PSAP, and updated that information in its subsequent reports. The following information reflects reported modifications to anticipated PSAP implementation readiness plans reported previously:

PSAP

Anticipated PSAP Implementation Date

Garfield Co. Sheriff

Anticipate Phase I and Phase II will be active on February 15, 2007; plans to work with each carrier to coordinate with carrier's anticipated readiness

Dawson Co. PSAP

Anticipate Phase I implementation in late February 2007.

McCone Co. Sheriff

Phase I complete; no plans regarding Phase II

Rosebud Co. Sheriff

Anticipate Phase I implemented in approximately 12 months, with Phase II activated approximately 18 months thereafter

(3) The status of its coordination efforts with PSAPs for alternative 95% handset penetration dates

As reported above, all PSAPs have been informed of the extension until September 23, 2007, or eighteen months after the release of the *Order*. All Montana PSAPs have indicated a willingness to work closely with C&CC regarding Phase II implementation schedules.

(4) Efforts to encourage customers to upgrade to location-capable handsets:

C&CC continues its two-prong approach to encouraging customers to upgrade their handsets through subscriber education and the provision of subscriber upgrade incentives.

C&CC continues its marketing campaign to encourage utilization of a digital handset offering a free phone and free activation to existing subscribers who extend contracts for a two-year period, or to a new subscriber signing a two-year contract. C&CC specifically targeted analog users during a Christmas promotion which offered, in addition to free or heavily discounted compliant phones with a 2-year contract, a \$50 credit for trading in an analog phone. Special mailings also promoted analog-to-digital conversions.

These promotions are featured in newspaper and radio advertising, and featured on the community advertising channel on cable systems throughout the C&CC service area. In addition, posters promoting this campaign are displayed in each business office, and many local county fairs and other local events as they are held in the individual communities. Billing inserts and cable advertising are also utilized to remind subscribers of the benefits of digital upgrades. In addition, two open houses were held, boosting sales of compliant handsets. Examples of advertising and outreach efforts are attached. All promotions and upgrade incentive programs, as well as customer educational information, is also available on C&CC's web site.

C&CC continues its build-out program to improve service. Its Alzada cell site application is still pending, but both the North Lambert and Vida South cell sites were in service by the first of the year.

(5) Percentage of customers with location-capable phones:

C&CC reports that 71% of its customers had location-capable phones as of January 15, 2007.

(6) Status in achieving compliance and whether it is on schedule to meet the revised deadline

C&CC reports success in meeting its revised 70% penetration goal, and will, accordingly, maintain its revised compliance projection, as follows, although with reservations as reported in meeting this ambitious schedule:

February 1, 2007 – 70%

May 1, 2007 – 85%

August 1, 2007 – 95%

In addition, C&CC will continue to work with PSAPs, and anticipates collaborating with certain PSAPs in public education campaigns when Phase II capabilities are introduced.

Please direct any questions or correspondence concerning this matter to this office.

Respectfully submitted,


Sylvia Lesse

Customer Service Tips

Below are tips from Mid-Rivers Customer Service Department. If you have any questions, please contact a Customer Service Representative at your nearest Mid-Rivers service center or call 1-800-452-2288.

Is Mid-Rivers offering any new cellular services? Yes! Mid-Rivers is working hard to stay competitive in the cellular market. Listed below are a few of the exciting new services and additions to cellular plans recently offered by Mid-Rivers Cellular:

1. Unlimited Long Distance – To customers on six select cellular plans we offer unlimited long distance while placing a call from a home tower to anywhere in the United States & Canada. (See plans on facing page.)

2. FREE Long Distance Minutes – In conjunction with unlimited long distance added to the six plans mentioned above, Mid-Rivers Cellular also offers free nationwide long distance minutes while roaming, starting at 100 free minutes with increased free minutes on higher plans.

3. FreedomWest – To customers on three select cellular plans we offer FreedomWest, free long distance within the plan minutes while on a home tower to Montana, North Dakota, South Dakota and Wyoming, with no contractual obligations.

4. NEW SERVICES! – Text Messaging and Mobile Internet are two new cellular services recently offered. Text Messaging allows cellular customers with digital cellular phones to send short "text only" messages to other digital cell phones and to and from e-mail Internet accounts. Mobile Internet is a wireless data service that allows you to connect your laptop to the Internet from anywhere you can get a Mid-Rivers digital cellular signal.

5. CHRISTMAS PROMO!

- Sign for new cellular service with a two-year contract and receive a FREE Motorola V266 digital camera cellular phone or purchase a Motorola RAZR cell phone for \$75; or
- Extend your existing Mid-Rivers Cellular contract for two years and receive a FREE Motorola V266 digital camera cellular phone or purchase a Motorola RAZR phone at the special price of \$75; or
- Trade in your old bag phone and receive a FREE V266 digital camera cellular phone or a Motorola RAZR phone for \$75.00 with a 2 year contract & receive a \$50 credit on your next Mid-Rivers Cellular bill.

their contract will also be registered for a chance to win a recliner and year's worth of pop and chips.

Why should I take Mid-Rivers Cellular's Security Plan for \$19.95?

Many people just want a cell phone to have in case of emergencies, especially while driving Montana roads in the winter. At \$19.95 per month, Mid-Rivers has one of the least expensive cell plans around. The Security Plan offers 100 FREE anywhere minutes. Security Plan customers are not charged long distance when calls are placed from a Mid-Rivers Cellular home tower to anywhere in Montana, North Dakota, South Dakota or Wyoming.

I love my old bag phone and it still works – why would I want to get rid of it for something new?

Mid-Rivers is unable to order or repair analog bag phones, because they are no longer manufactured. Even though an analog bag phone works in Mid-Rivers Cellular's service area, it may not work while roaming. Several other cellular companies are eliminating equipment to handle analog cell phones, making it increasingly more difficult to use analog bag phones when you are roaming.

Future cellular advances will only be available to digital cell phones. For instance, to take advantage of the future implementation of Phase II Enhanced-911 automatic location capabilities, you must have a digital cellular phone. If, during an emergency, you are unable to give your location to the 911 centers, that information will be sent automatically from a digital cellular phone. For these reasons, Mid-Rivers Cellular recommends that customers with old analog bag phones switch to a digital cell phones.

Does Mid-Rivers offer gift certificates for the holidays?

Yes. Mid-Rivers offers gift certificates not just for the holidays, but year round. Paying for someone's monthly telephone, cable television, cellular or Internet bill is a perfect gift for Christmas or birthdays. It is also the perfect

Mid-Rivers Cellular

701-844-3579

★ Sign for a new cellular service plan, trade in your analog cell phone (bag or handheld) or extend* your existing agreement and receive a FREE digital V266 flip phone or a RAZR phone for \$75.

*Agreement extended 2 years

BONUS!
When you trade in your analog cell phone for a digital phone you'll receive a \$50 credit on your next bill.

Your name will be entered for a chance to win a leather recliner and a year's supply of chips and pop!

What is the number that I can call to register so that I don't receive calls from telemarketers

on my landline phone? The number is 1-888-382-1222. You must call from the telephone number that you wish to register. Once registered, activation should start within the next three months. You can also register online at www.ftc.gov/donotcall. Remember that political organizations, charities, non-profit organizations, telephone surveys, insurance businesses, telemarketers calling from their own home and professionals licensed by the state are exempt. Because of these exemptions, you may also want to purchase callGUARD, Mid-Rivers' telemarketing call screening service. This service intercepts some, but not all, telemarketing calls before your telephone rings.

For more information on any of these services, contact the Customer Services Department at 1-800-452-2288 or visit

★ Sign for a new cellular service plan, trade in your analog cell phone (bag or handheld) or extend* your existing agreement and receive a FREE digital V266 flip phone or a RAZR phone for \$75.

★ Your name will be entered for a chance to win a leather recliner and a year's supply of chips and pop!

COMING DECEMBER 1st:

- **FREE Freedom West** for Security - Family and Plainsman Plans
- **FREE Nationwide Roaming Long Distance** minutes for Rancher - Pioneer - Powder River - Traveler - Badland and Yellowstone Plans

AVAILABLE NOW:

Text Messaging & Mobile Internet

*Agreement extended 2 years.

BONUS!
When you trade in your analog cell phone for a digital phone you'll receive a \$50 credit on your next bill.

Mid-Rivers Cellular • 1-800-452-2288 • www.midrivers.com

Turn this over for more information about Mid-Rivers Cellular.

To take advantage of the future implementation of Phase II E-911 automatic location capabilities, you must have a digital cellular phone. If, during an emergency, you are unable to give your location to the PSAPs (911 centers), that information will be sent automatically from a digital cellular phone. Therefore, it is recommended that you procure a digital cellular phone as soon as possible.

Turn this over for information about Mid-Rivers Cellular's latest cellpromotion.

★ Sign for a new cellular service plan, trade in your analog cell phone (bag or handheld) or extend* your existing agreement and receive a **FREE** digital flip phone or a RAZR phone for \$75.

★ Your name will be entered for a chance to win a leather recliner and a year's supply of chips and pop!

COMING IN DECEMBER:*Agreement extended 2 years.

- **FREE** Freedom West for Security - Family and Plainsman Plans
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Turn this over for information about Mid-Rivers Cellular's latest cellpromotion.

Improved Coverage

Mid-Rivers has completed the installation of equipment on cellular towers that will increase the receive signal, providing improved coverage for handheld digital phones.

Mid-Rivers will be rolling out new digital cellular service in the Vida, North Lambert and Richey areas just after the first of the new year.

New Cellular Plans

Value Plans: FREE Freedom West

Value Added Plans: Nationwide roaming long distance minutes

Open House One Day Only Special**Open Houses****Ekalaka:**

January 16th ~ 1-5PM

First National Bank

Richey:

January 17th ~ 1-5PM

Richey Senior Center

Baker:

January 24th ~ 1-5PM

Mid-Rivers Service Center

Broadus:

January 30th ~ 1-6PM
Community Center

- Sign for a new cellular service plan or extend an existing contract and receive a **FREE RAZR phone!**

- Analog customers bring in your active Mid-Rivers analog bag or handheld phone and upgrade to a digital cell phone and receive: a \$50 credit on your next bill and a **FREE RAZR phone.**

- Sign for Mid-Rivers Text Messaging and receive the 1st month **FREE**

- Your name will be entered for a chance to win a leather recliner and a year's supply of chips and pop!

Turn this over for more information about Mid-Rivers Cellular.

Mid-Rivers Cellular • 1-800-452-2288 • www.midrivers.com


To take advantage of the future implementation of Phase II E-911 automatic location capabilities, you must have a digital cellular phone. If, during an emergency, you are unable to give your location to the PSAPs (911 centers), that information will be sent automatically from a digital cellular phone. Therefore, it is recommended that you procure a digital cellular phone as soon as possible.

Turn this over for information about Mid-Rivers Cellular's latest cellular promotion.

DECLARATION OF GERRY ANDERSON

I, Gerry Anderson, General Manager of Cable & Communications Corporation, do hereby declare under penalty of perjury that I have read the foregoing "February 1, 2007 Report" and that the facts stated therein are true and correct, to the best of my knowledge, information and belief.

January 30, 2007
Date


Gerry Anderson

Certificate of Service

I, Sylvia Lesse, of Communications Advisory Counsel, LLC, hereby certify that on this 1st day of February, 2007, I caused to be delivered, via first-class US mail, postage prepaid, a copy of the foregoing "February 1, 2007 Report" on the following:

Captain Kevin Krausz
Miles City Police Dept.
PSAP for Custer County, Montana
PSAP for Garfield County, Montana
2420 Bridge Street
Miles City MT 59301

Sheriff Kelly Pierson
Garfield County Sheriff's Office
PO Box 103
Jordan MT 59337

Chief Alan Michaels
Glendive Police Department
PSAP for Dawson County, Montana
PO Box 1372
Glendive MT 59330

Chuck Lee
PSAP Manager - Fallon County
PSAP for Fallon, Carter,
Prairie and Wibaux Co's, MT
PO Box 1061
Baker, MT 59313

Sheriff Rusty Jardee
Carter County Sheriff
PO Box 323
Ekalaka MT 59324

Russ Lindblom
North Dakota 911 Manager
PO Box 877
Bismarck, ND 58502-0877

Jeff Cohen*
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445 Twelfth St, SW
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Michael J. Wilhelm*
Chief, Pub.Safety & Critical Infrastruc. Div.
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445 Twelfth St., SW
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* Via electronic mail

Sheriff William Klunder
Prairie County Sheriff's Office
PO Box 126
Terry MT 59349

Sheriff Darby S. Harrington
Wibaux County Sheriff's Office
PO Box 322
Wibaux MT 59353

Sheriff Dave Harris
McCone County Sheriff's Office
PSAP for McCone County, Montana
905 B Avenue, PO Box 201
Circle, MT 59215

Sheriff John Blain
Powder Riv. Co. Sheriff's Office
PSAP for Powder River Co., MT
Box 71 Courthouse Square
Broadus MT 59317

Sheriff Brad Baisch
Richland County Sheriff's Office
PSAP for Richland Co., MT
110 2nd Ave NW
Sidney, MT 59270

Lisa Solf
Petroleum County PSAP
PO Box 226
Winnett, MT 59087

Jim Kenner, IT Dept.
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Box 85 180 S 13th St
Forsyth, MT 59327


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